

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Anthony R. Taylor, #197565,)	
a/k/a Anthony Robert Taylor,)	
)	C.A. No. 6:10-0911-HMH
Petitioner,)	
)	
vs.)	OPINION AND ORDER
)	
SCDC; Attorney General Henry D.)	
McMaster; and State of South Carolina,)	
)	
Respondents.)	

This matter is before the court on Anthony R. Taylor’s (“Taylor”) Rule 60(b) motion for relief from the court’s June 4, 2010 Order (“June Order”) dismissing his action without prejudice. On May 14, 2010, United States Magistrate Judge William M. Catoe issued a Report and Recommendation recommending that Taylor’s petition for writ of mandamus be dismissed without prejudice. After receiving no objections, the court adopted the Report and Recommendation of the magistrate judge and dismissed Taylor’s petition without prejudice.

On August 11, 2010,¹ Taylor filed a motion for reconsideration pursuant to Rule 60(b). In his motion, Taylor asserts no grounds for relief. Rule 60(b) “invest[s] federal courts with the power in certain restricted circumstances to vacate judgments whenever such action is appropriate to accomplish justice.” Compton v. Alton S.S. Co., 608 F.2d 96, 101-02 (4th Cir. 1979) (internal quotation marks omitted). Rule 60(b) “does not authorize a motion merely for reconsideration of a legal issue.” United States v. Williams, 674 F.2d 310, 312 (4th Cir. 1982).

¹ See Houston v. Lack, 487 U.S. 266 (1988).

“Where the motion is nothing more than a request that the district court change its mind . . . it is not authorized by Rule 60(b).” Id. at 313. Taylor merely reargues his claims and presents no basis for the court to grant relief pursuant to Rule 60(b). See Fed. R. Civ. P. 60(b) (enumerating grounds for relief).

Therefore, it is

ORDERED that Taylor’s motion for reconsideration, docket number 22, is denied.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
August 19, 2010

NOTICE OF RIGHT TO APPEAL

The Petitioner is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.